



To: Martha's Vineyard Commission

From: Paul Foley, DRI Coordinator, Martha's Vineyard Commission

Date: Wednesday December 30, 2008

Re: 2008 Developments of Regional Impact

In 2008 the Martha's Vineyard Commission completed **38** projects under review as DRI's, Concurrence Reviews, Extensions, or aspects of an already approved plan to be approved by LUPC. Of the **38** projects the Commission reviewed **17** were full DRI's approved with conditions (**8** of those being modifications to previously approved DRI's and **1** of those was only approved for 5 years); **0** were denied; **9** were remanded back to their town as Minor Modifications to a previously approved DRI; **3** were sent back to their town as Non-Concurrences; **6** were previously approved DRI's returning to LUPC for some aspect of their plan to be approved before going forward; **2** were withdrawn; and **1** was granted an extension. In addition to these **38** projects there are **2** projects that were referred and reviewed but are currently on hold; **4** that are still under review; and **1** that was sent back to its Town because it did not trigger the DRI Checklist. The following pages list and describe the proposals from each town that were referred to the Martha's Vineyard Commission as Developments of Regional Impact in 2008. This report is organized by town alphabetically and then projects are listed chronologically (by date of MVC Decision) within each town report. For full DRI's all of the conditions are provided here, though the definitive source for information on all projects is the MVC Decision.

In 2008 the MVC also revised the DRI Checklist and adopted an Energy Policy to be used in the assessment of DRI's under review. In December, the Commission adopted revisions to the standards and criteria that define which projects must, or may, be referred to the MVC for review as Developments of Regional Impact. Once approved by the Secretary of Environmental Affairs, previous DRIs which had not been implemented would no longer trigger the "Once a DRI, always a DRI" provision, more triggers would have optional MVC review, and the year-round residential component of a mixed-use building would no longer be calculated in the building's floor space. The MVC adopted a new, Energy and Environmental Building Policy for DRI review that includes a graduated standard based on project scope (broader for larger projects while minimizing the administrative burden on small projects) and incorporates a wide range of environmental building considerations.

MVC - DEVELOPMENTS OF REGIONAL IMPACT – Aquinnah 2008

The MVC did not review any projects in Aquinnah in 2008.

MVC - DEVELOPMENTS OF REGIONAL IMPACT – Chilmark 2008

The MVC reviewed one project, Middle Line Housing Form C (DRI 597-M), in Chilmark in 2008.

DRI 597-M Middle Line Housing Form C Approved with Conditions April 10, 2008

The Applicant was approved by the MVC for a Form "B" preliminary subdivision plan in June 2007. The Form C proposal is to create a 9-building, 12-unit housing complex on a 21.4-acre site on Middle Line Road in Chilmark. There will be 6 residential "homesites" in which individual owners will build single-family homes up to 4 bedrooms each. There will be 6 duplex units developed by a private developer hired by the

town and managed by an independent agency. At least four units will go to families earning no more than 100% of Area Median Income (AMI) and the remainder to families earning no more than 150% of (AMI). All units will be permanently restricted to be affordable according to the above limits. The Town will retain ownership of the entire parcel. This Form C Subdivision is almost identical to the Form B. The project, located on Middle Line Road in Chilmark (Map 13 Lot 43 – 21.4 acres) was approved with the following conditions:

- As offered by the Applicant in the Form B submittal, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant in the Form B submittal, all plantings shall be non-invasive species and shall include native species and use best management practices. As offered by the Applicant in the Form B submittal, consistent with the MVC staff water quality assumptions and analysis, the Town agrees to allow no more than a total of 27,000 sq. ft. of "lawn area" within the 21-acre proposal (average of 3,000 sq. ft. per building). It will be fertilized no more than three times per year.
- As offered by the Applicant in the Form B submittal, any security lighting will be motion sensitive.
- As offered by the Applicant in the Form B submittal, all exterior lighting will be downward shielded to prevent direct light from escaping the property as expressly determined in Chilmark's Outdoor Lighting By-Law—Article 5 Sections 5.5, 5.6, 5.7 and 5.8.
- As offered by the Applicant in the Form B submittal, the Town shall cap the total number of dwelling units on the property at 12.
- As offered by the Applicant in the Form B submittal, at least 1/3 of all dwellings (4) will be devoted to qualified recipients earning up to 100 % of the Dukes County Median Income. This commitment is dependent upon the number of qualified applicants that are within this income bracket.
- As offered by the Applicant in the Form B submittal, the balance of the available dwellings will be devoted to qualified recipients earning up to 150 % of the Dukes County Median Income.
- As offered by the Applicant in the Form B submittal, as with the Form B design, the Form C plan will meet all of the Commonwealth's and Town's wastewater regulations. It is the Town's intent to achieve this without requesting a variance or special permit for any Town regulation.
- As offered by the Applicant, the Applicant shall not clear any more land than is absolutely necessary in order to get the well drilling rig to each of the ten well sites. The Town's Board of Health must approve each of the wells before any further site clearing may be performed. After a viable well is established for a building site, the house site, driveway, and other open area may be cleared according to the landscaping plan.
- As offered by the Applicant in the Form B submittal, the project shall be developed in such a way as to retain 70-80 percent of Open Space with native species. There may be some areas within open space that will be preserved as a meadow – to provide a more varied natural habitat.
- As offered by the Applicant in the Form B submittal, all significant landscape features such as clay pits and ancient ways will be protected with a minimum 50-foot no cut buffer with the exception that the access road into the subdivision will cross Holman Road once.
- As offered by the Applicant and to the extent permitted by law, the Applicant shall assure perpetual public access to Holman Road as a walking path.
- As offered by the Applicant, in order to buffer the development from the adjacent parcels that abut the east lot line, the applicant shall maintain a 50-foot no-cut buffer zone along the property line, shall maintain a minimum setback for structures of 75 feet from the lot line, and shall plant at least six new trees at least 6' high of additional screening – or an alternative size and number as agreed by the affected abutter – for each new house.
- As offered by the Applicant, the Applicant offers to work with the Land Bank to explore creating other trails, in addition to Holman Road.
- Areas within the Holman Road no-cut buffer zone cleared for well-drilling and trenching shall be replanted with native vegetation similar to that which was destroyed.
- If the Town chooses to create trails along the northerly or westerly boundaries connecting to a broader trail network, this shall be permitted in the no-cut zones and the areas covered by conservation restrictions.

- Any incursions into any of the no-cut buffer zones or the areas covered by conservation restrictions other than three wells, the road access, and the trails referred to in condition 5.6 shall be referred to the Martha's Vineyard Commission for review as modifications to the plan.
- *As offered by the Applicant in the Form B submittal, the Town has submitted a Massachusetts Endangered Species Act (MESA) filing on behalf of the Middle Line Road Community Housing Program. It has been determined that the Form C plan as proposed will not result in a prohibited "take" of state-listed rare species.*
- *As offered by the Applicant in the Form B submittal, any major changes to this plan will be submitted to the Natural Heritage and Endangered Species Program (NHESP) for further review.*
- *As offered by the Applicant in the Form B submittal, the Applicant shall apply for LEED certification and shall seek the highest possible rating.*
- *As offered by the Applicant in the Form B submittal, the Applicant shall apply for a Cape Light Compact grant for energy improvements and shall use any grant that is awarded to upgrade the energy efficiency, and/or to install renewable energy sources on the rental units.*
- *As offered by the Applicant, at least one ground-floor rental unit shall be designed so it can be easily retrofitted to provide handicap access as defined by the Massachusetts Architectural Access Board.*
- *As conditioned in the Form B submittal, the Applicant shall report the LEED (Leadership in Energy and Environmental Design) level achieved to the Martha's Vineyard Commission.*
- *As conditioned in the Form B submittal, the Applicant shall consider requiring the owner of the residential homesite units to meet more stringent energy codes with rapid paybacks and shall report back on this issue.*
- *As offered by the Applicant in the Form B submittal, should the project have major alterations to the use of the premises from the proposed uses it shall return to the Martha's Vineyard Commission to request approval of said alterations.*

MVC - DEVELOPMENTS OF REGIONAL IMPACT – Edgartown 2008

Of the **38** projects the Commission reviewed **8** were in Edgartown. Of the **8** projects in Edgartown **3** were full DRI's approved with conditions (**2** of those being modifications to previously approved DRI's); **0** were denied; **1** was remanded back to the town as a Minor Modification to a previously approved DRI; **1** was sent back to the town as a Non-Concurrence; **2** were previously approved DRI's returning to LUPC for some aspect of their plan to be approved before going forward; and **1** was granted an extension. The three DRI's Approved by the MVC were Vineyard Golf (DRI 484-M), the Harbor View Hotel (DRI 614), and the Field Club Affordable Housing Offer Change (DRI 551-M4). The remand was Airport Mobil Car Wash (DRI 441-M2), the non-concurrence was Alexander & Dyke (C.R. 5 – 2008), the extension was to Tom's Neck Farm (DRI 483), and the plans reviewed by LUPC were two separate landscape plans at Morgan Woods (DRI 577).

DRI 577 Morgan Woods LUPC - Landscape May 19, 2008

On Monday May 19, 2008 the Land Use Planning Committee of the Martha's Vineyard Commission approved a landscape plan for Common Number 2 at Morgan Woods. As part of a Modification in 2007 the applicant was required to submit landscape plans for all three commons by December 31, 2008. The LUPC approved the plan for Common 2 but asked the Applicant to return with plans for all three Commons by the end of the year regardless of whether they have the money at the time for the planting.

DRI 484-M Vineyard Golf Approved with Conditions July 10, 2008

On July 10, 2008 the MVC approved with conditions a proposal build one 11-bedroom dormitory building for staff and a bathroom on the golf course of the Vineyard Golf Club (DRI 484). The Applicant originally requested a Modification to DRI 484 to build nine member houses, one 11-bedroom dormitory building for staff, and a bathroom on the golf course of the Vineyard Golf Club (DRI 484). The Applicant subsequently withdrew the request for nine member houses. The dormitory would be located on Lot 57.2 with the cluster DRI Annual Report 2008

of three other staff houses. The bathrooms (his and hers) would be hooked up to the sewer and located in a grove of trees between the 10th, 15th, and 17th greens. The project, located on Edgartown-West Tisbury Road in Edgartown (Map 22 Lots 57.11, 57.12, 57.2, and 57.3) was approved with the following conditions:

- All previous conditions relative to this property are still in effect and shall be complied with.
- As offered by the Applicant, the staff dormitory and bathroom will be connected to the Edgartown Wastewater Treatment Facility.
- As offered by the Applicant, the new staff dormitory and bathroom will be consistent with the architecture of the other buildings on the property and will have cedar shingles.

DRI 483 Tom's Neck Farm Extension Granted June 26, 2008

On June 26, 2008 the Martha's Vineyard Commission voted to extend the "sunset clause" for Tom's Neck Farm by two more years. This allows the Applicant until June 26, 2010 to begin substantial work on their project. The Applicant requested that the MVC provide a definition of what the MVC considers "substantial work" and what they have to do to get the MVC to sign off on the project. The MVC reiterated a response from December 5, 2006:

"On the first point of what does "significant work" mean in the MVC Extension letter now that you (the applicant) have completed the Conditions (other than the on-going conditions such as prohibition of inorganic fertilizers and using de-nitrifying septic systems within 325 feet of wetlands and the restrictions on lawns) with your donation to DCRHA and the establishment of a conservation restriction on the open space not conveyed to the town that you will not need to continue to request extensions from the MVC. It would be helpful if we had a copy of the Conservation Restriction for the file...Reading condition 1C it says 'That the applicant shall have prepared an intensive archeological survey of the areas contained within the building envelopes or areas to be disturbed prior to the start of site preparation or the release, sale or transfer of any property, with said results filed with MHC... and a copy to the MVC'...If you feel that an archeological survey is onerous you might want to request a modification to the MVC Decision Condition 1C."

In other words the subdivision is "signed off" on but the Conditions in the MVC DRI Decision continue to be in effect and must be followed.

DRI 614 Harbor View Hotel Approved with Conditions July 24, 2008

On July 24, 2008 the MVC approved with conditions a proposal to include addition, demolition, renovation, and new construction at the Harbor View Hotel. The reconfiguration and renovation of the function facilities of the 1st floor of the main hotel building would add 5,436 square feet. There would be 6,057 square feet of new space on the 2nd, 3rd and 4th floors. The Mayhew Building would be demolished and replaced with 5 smaller cottages. Other proposed hotel facility changes were a new swimming pool, a Children's Program Room, a small day-spa for hotel guests, a transient guest lounge, and new landscaping. The total square footage of all buildings would rise from 91,277 sf to 113,564 sf, an increase of 19,287 sf. The number of units would drop from 116 to 68, rooms would drop from 120 to 117, and bedrooms would go from 134 to 139. The project would be done in two phases. The project, located at 131 North Water Street in Edgartown (Map 20b Lot 107 - 3.88 acres) was approved with the following conditions:

- As offered by the Applicant, prior to the removal of the Morse, Bradley and Snow cottages the Harbor View shall:
 - Donate the furnishings, bedding, linens, etc. that are not being re-used to families identified by Martha's Vineyard Community Services and the Dukes County Regional Housing Authority.

- Remove all usable building materials from the structures and provide them at no cost to any island residents that desire to take them from the site.
- As offered by the Applicant, the applicant shall make a contribution of \$107,072 to the Edgartown Affordable Housing Committee upon receipt of the Certificate of Occupancy for the finished project.
- As offered by the Applicant, the applicant shall provide affordable housing for a portion of its employees annually by renting 22 houses seasonally and 3 houses year-round at market rates and only requiring the employees to reimburse a percentage of the cost.
- As offered by the Applicant, the applicant shall continue to provide furnishings, bedding and other items to affordable housing.
- As offered by the Applicant, the property shall comply with all ADA regulations including having 6 accessible units (5% of the available units, per ADA regulations) and 4 accessible parking spaces.
- As offered by the Applicant, the applicant shall:
 - maintain the entrances and exits to the property as they were prior to the proposed renovations,
 - limit its function capacity to 306 people,
 - provide alternate transportation and parking for any non-hotel guest function (ie: people not staying at the hotel) of over 140 people that occurs between June 15 and October 15,
 - provide traffic mitigation by providing 55 employees with bus passes annually, continuing to provide van transportation for its guests to and from the boats and airport, continuing to require that its employees that do drive (other than those employees parking at the Fuller Street lot, which are senior employees) to park at the Edgartown Park and Ride lot and take the shuttle to town, and continuing to provide bicycles for its guests to use at their leisure.
- As offered by the Applicant, the applicant shall provide parking for 63 vehicles (4 of which are handicapped spaces) on the property and 14 guest parking spaces and 12 employee spaces at the Fuller Street parcel thereby keeping the overall guest parking at 77 spaces. The new parking lot at the rear of the property shall not be paved with asphalt, but shall have a pervious surface.
- As offered by the Applicant, the applicant shall continue its recycling plan consisting of the recycling of glass, office paper, newspapers, cardboard, metals, computers, waste paints and solvents, brass keys, refrigerant gas, grease from the fryers, old batteries, televisions, waste oil from lawnmowers, conversion of old towels into rags, old sheets into drop cloths and copper piping. The applicant shall continue to donate linens and bedspreads to staff, the Boys & Girls Club and others in need.
- As offered by the Applicant, a final landscape plan shall be submitted to and is subject to the approval of the LUPC prior to the initiation of the landscaping. This landscaping shall include extensive screening between the subject property and the abutting properties to continue to provide its neighbors privacy.
- As offered by the Applicant, all of the exterior lighting on the property shall be down lighting.
- As offered by the Applicant, the water runoff on the property shall be directed to dry wells and recharged in to the groundwater. A presently impervious parking lot is being replaced by a pervious parking lot. The applicant shall install a drain to alleviate runoff on to Fuller Street from the southern entrance from the property to Fuller Street to the specifications of the Edgartown Highway Department.
- As offered by the Applicant, dual flush toilets shall be installed in the employee areas and public areas. The present 3.0 gallon flush toilets in the units shall be replaced by 1.6 gallon flush toilets.
- As offered by the Applicant, the outdoor pool, which is currently heated by oil shall be solar heated.
- As offered by the Applicant, all project improvements contemplate green systems and materials wherever possible to address the energy inefficiency of the pre-2007 buildings. The applicant shall:
 - Install a high-efficiency propane HVAC system that shall be as energy efficient as possible and exceed energy performance & CFC reduction criteria.
 - Implement guest programs for energy savings, light sensors, fan timers, motion controls, etc.
 - Make all new construction and renovations high performance, well insulated, including icynene insulation.
 - Install low-energy insulated windows in all new construction
 - Retrofit the property with propane rather than oil.
 - Implement a lighting plan for the property that shall reduce the amount of incandescent lighting on the property through a combination of compact fluorescent bulbs and LED lighting.

- Make the roofs of all new buildings a light color to reduce glare and heat gain
 - Install televisions and the few appliances that are in some units that shall be EnergyStar rated.
- As offered by the Applicant, the applicant is presently seeking and anticipates receiving LEED Certification.
- As offered by the Applicant, all of the above shall exceed the Massachusetts Building Code by a minimum of 20%. As the specific insulation and windows have not yet been selected, the Applicant shall provide a final lighting plan and energy analysis to the MVC staff at the time of the building permit application showing that the project meets federal Energy Star standards and exceeds the Massachusetts Building Code by at least 20%.
- As offered by the Applicant, the applicant is currently purchasing all of its electricity from hydroelectric and wind energy plants in Maine. The applicant will continue this practice so long as it remains economically feasible.
- As offered by the Applicant, the applicant and/or a foundation established by the applicant shall make contributions to the community in the annual amount of \$50,000 in direct grants and \$50,000 of in-kind donations.
- As offered by the Applicant, the applicant shall continue to provide function space in the off-season to Island non-profit groups at cost.
- As offered by the Applicant, the construction of the improvements at the property shall occur under the following schedule:
- Phase 1 (removal and replacement of Captain Snow Cottage, Captain Bradley Cottage and Captain Morse Cottage, construction of Captain Martin and Captain Pease Cottage, installation of lock-offs in the Captain Huxford Cottage) will occur from October 15, 2008 until June 30, 2008.
- Phase 2: (removal of Mayhew Building, removal and replacement of pool, construction of Captain Penniman and Captain Fisher Cottages, Main Building construction) will occur from early September, 2009 until June 30, 2010.
- All work shall be coordinated so as to provide the least amount of impact to the abutters and neighborhood.
- The restaurant and pub shall remain open during construction excepting those times when safety concerns dictate closure.
- In order to ensure that the property remains a hotel, the MVC sets the following conditions:
 - No unit shall be occupied by any owner or guest for more than ninety (90) consecutive days, nor may the owner or guest re-occupy any unit within thirty (30) days of a continuous ninety (90) day stay, nor may the owner or guest stay more than four (4) months in any calendar year.
 - No owner, occupant, or guest may claim residency at this location, with the exception of the apartment presently occupied by Bob Carroll.
 - In at least 85% of the units, whenever an owner or guest of the owner of a unit is not occupying the unit it must be available for transient rental or placed in a rental program.
 - All occupants of a unit, whether an owner, guest, or hotel guest shall not use the unit until they have checked in with the hotel's front desk.
- In order to allow the applicant flexibility in dealing with the Edgartown Historic District Commission and abutting neighbors as to porch enclosures, the applicant may make minor modifications to the layout of the units and porches so long as said modifications do not increase the number of units, rooms or bedrooms or the footprint of the buildings.

C.R.-5 2008 Alexander & Dyke

Non-Concurrence

August 28, 2008

On Thursday August 28, 2008 the Martha's Vineyard Commission voted that the proposal to convert a single family residence located at 222 Edgartown-Vineyard Haven Road (Edgartown Map 20A, Lot 62) into an HVAC office and service department is not significant enough to warrant a public hearing and voted not to concur that the proposal is a Development of Regional Impact. The Commissioners decided that this use does not require a public hearing based on there being no plans for any physical change to the house, minimal traffic, and the Applicant proposing a new access at the rear of the property to connect to the Edgartown Park and Ride.

DRI 551-M4 Field Club Mod.**Approved****September 18, 2008**

On September 18, 2008 the MVC approved with conditions a proposal to change an affordable housing offer from a previous MVC Decision from donating three lots in the BADD subdivision, now owned by the Field Club/South Village Associates Realty Trust, in the MVC Decision of March 2004 to a donation of \$1,800,000 to the Town of Edgartown or its assignee(s) to use exclusively to acquire property for affordable housing. The project, located at South Village Road in Edgartown (Map 36 Lots 102.1-102.31 -23.8-acres) was approved without further conditions. As always Conditions from previous MVC DRI Decisions related to the property continue to be in effect and must be adhered to.

DRI 577 Morgan Woods**LUPC - Landscape****December 8, 2008**

On Monday December 8, 2008 the Land Use Planning Committee of the Martha's Vineyard Commission approved a landscape plan for all three Commons at Morgan Woods. As part of a Modification in 2007 the applicant was required to submit landscape plans for all three commons by December 31, 2008. The LUPC approved a plan for Common 2 in May.

DRI 441-M2 Mobil Car Wash**Minor Modification****December 18, 2008**

On December 18, 2008 the MVC the Martha's Vineyard Commission voted that the proposal to add a 10' by 14' foot mechanical room addition to the car wash to house a waste oil heater in order to allow the carwash to operate on days when the temperature is below freezing was not a significant change to DRI 441 and does not require a public hearing as a DRI. However the project cannot be issued a Certificate of Occupancy until the ground water monitoring plan has been reviewed and approved by the MV.

MVC - DEVELOPMENTS OF REGIONAL IMPACT - Oak Bluffs 2008

Of the **38** projects the Commission reviewed **13** were in Oak Bluffs. Of the **13** projects in Oak Bluffs **6** were full DRI's that were approved with conditions (**1** of those being a modification to a previously approved DRI); **0** were denied; **4** were remanded back to the town as a Minor Modifications to a previously approved DRI; **2** were parking plans approved by the LUPC; and **1** was the approval of the brick hue of the Hospital. The **6** DRI's Approved by the MVC were the Bradley Square Housing (DRI 612); Moujabber Addition (DRI 607); Nova Vida (DRI 603); M.V. Arena Wind Tower (DRI 49-M2); Fortune World (DRI 617); and Igreja Evangelica (DRI 619). **3** of the **4** Minor Modifications were small changes at Our Market (DRI 4) and the other was at the Martha's Vineyard Savings Bank (formerly D.C.S.B.) on Uncas Avenue. **2** projects that were referred in 2008 are still under review.

DRI 539-M2 Vineyard Youth Tennis**LUPC Approved Parking****April 14, 2008**

On Monday April 14, 2008 the Martha's Vineyard Commission's Land Use Planning Committee voted to approve the proposal to open a second parking area as conditioned in Condition 1d of the DRI 539 Decision The Applicants, knowing that they were a DRI, submitted themselves for modification review. Condition 1d of DRI 539 reads: That the Applicant may clear the designated area for use as a multipurpose area for informal play as well as for occasional overflow parking, provided a landscaping plan is submitted for the approval of [LUPC or ED] with the ground surface vegetated (e.g. grass, ground cover, etc.) and with maximum preservation of trees.

DRI 612 Bradley Square**Approved with Conditions****July 10, 2008**

On July 10, 2008 the MVC approved with conditions a proposal to move and renovate the former Bradley Memorial Church into a cultural center (788 sf) and an office (209 sf) on the ground floor with one residential unit on the second floor. There would also be two more buildings with 5 residential units each

(5,108 gsf each not including basement). The nine non-market rate units would have permanent rental and resale restrictions. The project, located at 96 Dukes County Avenue and 8 Masonic Avenue in Oak Bluffs (Map 11 Lots 193 & 195 - 0.43 acres), was conditioned with the following conditions:

- **Affordability:** As offered by the Applicant, the Applicant's master ground lease shall include permanent affordability restrictions for nine of the eleven residential units, and resale restrictions for the Denniston center and office to non-profit or public entities. Five of the residential units and all four residential artist live/work units shall be sold to income eligible applicants earning no more than 80% to 140% of the median income, including: 3 units at 80% or less of AMI, 1 units at 100% or less of AMI, 3 units at 120% or less of AMI, and 2 units at 140% or less of AMI.
- **Local Preference:** As offered by the Applicant, local preference to town residents shall be given the four affordable residential units serving households earning 100% or less of the median income, funded in part by Oak Bluffs Community Preservation Act funding.
- **Homebuyer Application:** As offered by the Applicant, the homebuyer application for the affordable units shall be drafted with the Oak Bluffs Affordable Housing Committee and the Oak Bluffs Art District; and the Dukes County Regional Housing Authority shall administer the application and lottery process. The selection process for any Habitat for Humanity units shall be administered by Habitat.
- **Master Deed:** As offered by the Applicant, the condominium association's master deed and declaration of trust shall govern the use and maintenance of the property and the condominium units, including the four residential artist live/work units, seven residential units, Denniston center, and office. These legal documents shall include rules and regulations that require that the home business use of the four artist live/work units be consistent with the surrounding Art District's hours of operations and the Town's by-laws; restrict the Denniston center to a maximum occupancy of 74 people, limit its the hours of operations from 8:30 AM to 9:30 PM seven days a week, and adopt rental policies consistent those used by the Martha's Vineyard Preservation Trust for similar historic properties; and limit the hours of operations for the office to 9AM to 5PM Monday thru Friday. [Note: modified by condition 8.1.]
- **Activities:** As offered by the Applicant, activities for more than 30 people shall not be scheduled in the Denniston Center during any major Oak Bluffs events (such as the Annual Oak Bluffs' Fireworks, Illumination Night, Pops Concert), nor during the Art Strolls unless the activities are arts related.
- **Off-Street Parking:**
 - As offered by the Applicant, one on-site parking space shall be provided to serve each of the eleven residential units.
 - If owners of residential units do not use their parking spaces, these spaces may be sublet upon approval of the condo association.
- **On-Street Parking:** As offered by the Applicant, the Applicant shall recommend that the Town of Oak Bluffs implement the sidewalk plan it has proposed which includes six on-street parking spaces along Masonic Avenue, which would be available to visitors of the Denniston Center and office, among other users. The Applicant shall request that one on-street parking space in front of the Denniston building be designated handicapped parking by the Town of Oak Bluffs.
- **Shuttle Service:** As offered by the Applicant, during the summer season (June – September) and weekends during the shoulder season (Friday to Sunday, May and October), if the Town's shuttle bus service is not operational, the Applicant shall require any user of the Denniston Center to provide a shuttle bus service to a Town-approved off-site location for activities of 30 persons or more.
- **Road Improvements:** As offered by the Applicant, the Applicant shall request and coordinate with the Town of Oak Bluffs to paint stop bar pavement marking on Masonic Ave at both ends to improve visibility; paint crosswalk at the same locations; install "no parking to corner" signs at the Masonic and Dukes County Ave intersection, and paint the stop bar and crosswalk with the Town's approval should it be necessary.
- **Public Transit:** As offered by the Applicant, the Applicant shall request and coordinate with the VTA to install VTA bus route signs at strategic locations, and determine with the VTA whether a bus stop or flag stop is necessary at the Masonic/ Circuit/ Pocasset Ave intersection.

- **Traffic and Parking Study:** As offered by the Applicant, the Applicant shall cooperate with the Town of Oak Bluffs in the development of a parking and traffic study of the Dukes County Avenue area commissioned by the Oak Bluffs Board of Selectmen. This study should include looking at on-street parking and sidewalks within a quarter mile of Bradley Square.
- **Landscaping Plan:** As offered by the Applicant, a final landscaping plan shall be submitted to and is subject to the approval of LUPC before construction begins. The plan shall include:
 - Plant species and locations including the caliper of new trees;
 - Fencing;
 - An implementation timetable;
 - A combination of streetscape trees (e.g. London Plane) and native vegetation;
 - Provisions to provide for the care of existing trees, including a pre-construction soil management program, in order to maximize the likelihood that existing trees survive;
 - Provisions to provide for the perpetual care of all trees and shrubs, including the obligation to replace any that do not survive.
- **Sidewalk:**
 - As offered by the Applicant, the Applicant shall provide an easement to the Town of Oak Bluffs to allow it to construct a sidewalk on private land along Dukes County Avenue in order to protect existing street trees. Should the Town decide not to construct the sidewalks along Dukes County Avenue and Masonic Avenue, the Applicant shall consider constructing a sidewalk or paths allowing on-street parking for six cars along Masonic Avenue as shown on the site plan.
 - Should the Town not construct the sidewalks on Masonic and Dukes County Avenues, the applicant shall return to the Commission before installing any impervious path or sidewalk.
- **Driveway:** As offered by the Applicant, the driveway providing circulation on the property shall be constructed of pervious material and sloped towards the grass lawn.
- **Community Open Space:** As offered by the Applicant, a 1,400 SF community open space, located between the Denniston building and the Bradley II building, shall be accessible for and during functions related to the Denniston center.
- **Trees:** As offered by the Applicant, the Applicant shall retain eight trees and plant seven trees as per the landscaping plan, with plantings.
- **Rubbish/Recycling:** As offered by the Applicant, the Applicant shall install enclosed rubbish/recycling areas as shown on landscaping plan.
- **Fence:** As offered by the Applicant, the Applicant shall build a six-foot wooden fence with vine plantings that grow to cover the fencing or a combination of wooden fence and large shrub plantings (between sections of wooden fence) along the property boundary to provide a visual and noise buffer.
- **Fertilizers and Pesticides:** As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- **Building Height:** As offered by the Applicant, the height of the Denniston building shall be lowered from 33'-6" to 31'-9". The maximum height of the two Bradley buildings shall be 31'-7".
- **Restoration of Church:** As offered by the Applicant, the Applicant shall preserve, restore, or historically replicate the treatments within the historic Denniston building's sanctuary with the assistance of the Massachusetts Historical Commission and the Cottage City Historic District Commission that shall be permanently protected through the condominium association's master deed and declaration of trust.
- **Historic Artifacts:** As offered by the Applicant, the Applicant shall preserve the historic artifacts in the Denniston building in conjunction with the Martha's Vineyard Museum, and build an artifact display case within the Denniston center along with storage space in the basement.
- **Signage:** As offered by the Applicant, signage for the four artist live/work units in the two Bradley buildings and the Denniston center and office shall be limited to the dimensional requirements of the B-1 and R-1 districts.
- **Efficiency:** As offered by the Applicant, the Applicant shall maximize the energy efficiency of all three buildings by achieving an Energy Star Plus rating (50% or greater energy efficiency than code).

- **Exterior Lighting:** As offered by the Applicant, exterior lighting shall be limited to landscape lighting depicted on the landscape plan extending no more than three (3) feet above the ground, and low-glare wall sconces at each door controlled by motion detectors. All lighting shall be downward shielded to prevent direct light from escaping the property.
- **Sound:**
 - As offered by the Applicant, no amplification shall be allowed outside of the buildings on the Bradley Square property.
 - All windows shall be kept closed when indoor amplification is being used.
- **Stormwater:** As offered by the Applicant, storm water shall be managed using guttered roofs into dry wells and retention of pervious surfaces (landscaping, gravel driveway & parking).
- The applicant may expand the hours of use of the office space in the Denniston Center from 8:30 am to 9:30 pm seven days a week.
- There shall be no more than three activities each week with more than 30 participants at the Denniston Center. The Applicant may ask the Commission to review this condition at any time.
- The Denniston Center (the sanctuary and office indicated on the plan) shall only be used for non-profit educational, cultural, and/or religious purposes, and other purposes subsidiary and incidental thereto, as determined by the Oak Bluffs Building Inspector.
- The Denniston Center shall use the Martha's Vineyard Preservation Trust Function Facility Rental Policies (attached) as a guidance document for the rental of the facility.

DRI 4-M3 Our Market Deck Minor Modification July 10, 2008

On Thursday July 10, 2008 the Martha's Vineyard Commission voted that the proposal to modify DRI-4 (Our Market) by building a 16' by 10' deck off the back of the Our Market building is not significant enough to warrant a public hearing and approved the modification. The Applicants, knowing that they were a DRI, submitted themselves for modification review.

DRI 607 Moujabber Addition Approved with Conditions July 24, 2008

On July 24, 2008 the MVC approved with conditions a proposal to build an addition to an existing 5 bedroom house. The applicant proposes to demolish the three-story partially completed accessory structure and build an addition to the back of the main house. The existing five-bedroom main house is 2,074 sf of living space (2,617 gross sf) and the proposed addition would be 1,266 sf of living space (1,403 gross sf) for a total five-bedroom house size of 3,340 sf of living space (4,020 gross sf). The project, located at 10 Sea View Avenue Extension in Oak Bluffs (Map 9 Lot 50 - .18 acres), was conditioned with the following conditions:

- As offered by the Applicant, the Applicant shall install at ground level at all roof overhangs 24" W x 18" D gravel drain with 4" diameter perforated pipe sloped to gravel filled drywells located on site as per plans.
- As offered by the Applicant, the Applicant shall install French drains at both driveway terminations to catch and retain driveway runoff; both French drains shall slope to gravel filled drywells located on site as per plans.
- As offered by the Applicant, the finished grade around the new addition shall match up with the existing house grading and the Applicant shall pitch onsite water to Pasque and North Bluff Avenues.
- As offered by the Applicant, the entire structure will be a five-bedroom, single-family home.
- As offered by the Applicant, the lowest level of the proposed addition (the "Addition") shall be used as a garage.
- As offered by the Applicant, the Applicant shall prohibit the use of the property for employee housing.
- As offered by the Applicant, the architectural details and materials shall match the details of the existing house.
- As offered by the Applicant, a final landscape plan shall be submitted for the review of and is subject to the approval of the LUPC.
- As offered by the Applicant, primarily native and low-maintenance plants shall be used in the areas proposed for new landscaping, to minimize the need for fertilization and watering.

- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, a final lighting plan shall be submitted for the review of and is subject to the approval of the LUPC.
- As offered by the Applicant, exterior lighting on buildings shall be limited to that required by code, any security lighting shall be motion-sensitive, and all exterior lighting shall be downward-shielded to prevent direct light from escaping the property.
- As offered by the Applicant, the demolition and construction period shall occur between Columbus Day weekend and April 30.
- As offered by the Applicant, erosion and sediment control measures constructed of hay bales and silt fence shall be in place and functional before demolition of existing garage and construction of new addition begin and must be constructed and maintained throughout the demolition and construction period.
- As offered by the Applicant, the existing frame portion of the garage shall be dismantled by hand with all useable parts to be stored on site in a designated construction staging area. All other remaining construction materials shall be removed from the site.
- As offered by the Applicant, the existing foundation and concrete slab of the garage shall be demolished with large equipment and shall be removed from the site.
- As offered by the Applicant, the existing one-story portion of the house shall be dismantled by hand and removed for the site.
- As offered by the Applicant, the existing foundation and concrete slab of the dismantled portion shall be demolished with heavy equipment and shall be removed from the site.
- As offered by the Applicant, the addition foundation shall be excavated with soil from the excavation to be used to fill the hole left by the removed garage foundation. The soil shall be graded to match the existing grades on site.
- As offered by the Applicant, the existing garage driveway shall remain and be used as the construction staging entrance. The construction staging area is only intended for the construction process and all items shall be removed from the site when the building is complete.
- As offered by the Applicant, the construction process on the project will start and be completed as per schedule and as per plans.
- As offered by the Applicant, upon final landscaping and permanent site stabilization, the Applicant shall remove the silt fence and hay bales and all other temporary erosion control measures.
- All construction materials and associated items shall be removed from the site within thirty (30) days after the Certificate of Occupancy has been issued.
- The design of the building may be refined, modified, or further restricted if so required by boards of the Town of Oak Bluffs, provided the result is not higher, wider, or longer than the plan approved by the Martha's Vineyard Commission and provided the basic architectural characteristics (roof slope, materials, window and door proportions, are maintained) are adhered to. Any such design revision shall be submitted to and is subject to the approval of the MVC Land Use Planning Committee.

DRI 539-M3 Vineyard Youth Tennis LUPC Approved Parking July 28, 2008

On Monday July 28, 2008 the Martha's Vineyard Commission's Land Use Planning Committee voted that the proposal to modify Condition 1d of the DRI 539 Decision is not significant enough to warrant a public hearing and approved the modification. The Applicants, knowing that they were a DRI, submitted themselves for modification review. Condition 1d of DRI 539 reads: That the Applicant may clear the designated area for use as a multipurpose area for informal play as well as for occasional overflow parking, provided a landscaping plan is submitted for the approval of [LUPC or ED] with the ground surface vegetated (e.g. grass, ground cover, etc.) and with maximum preservation of trees. In April 2008 the LUPC approved the opening of the rear parking/play area with a permeable paver surface to allow grass to grow through. The Applicant received estimates of between \$70,000 -\$90,000 to do this which they thought was too much to spend on parking. They then proposed to LUPC using a pea stone surface such as the other existing parking

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areas partly because they were not so sure a dual purpose parking/play is a great idea. The LUPC decided to approve the proposal that the pavers be replaced with pea-stone as long as there is an attempt to grow grass by seeding the area.

DRI 603 Nova Vida Approved with Conditions September 11, 2008

On September 11, 2008 the MVC approved with conditions a proposal to locate a 150-seat church on the second floor, and a church-related center in the basement, of an existing building with a footprint of 2,560 sq. ft. The building presently also houses the 28-child Martha's Vineyard Hospital daycare on the first floor. The project, located on Ryan's Way in Oak Bluffs (Map 56 Lot 15.8 - 1.44 acres), was conditioned with the following conditions:

- As offered by the Applicant, a final landscaping plan including an implementation timetable, signage, fencing, and showing plant species and locations shall be submitted for the review and approval of LUPC before construction begins on the main building. All landscaping plans shall use best management practices.
- As offered by the applicant, the church shall increase the intensity of the existing buffer towards the North, Edgartown-Vineyard Haven Road side, and shall have a vegetative buffer, planted with native trees, which will be comprised of a mixture of Oak and Holly towards the North side, and Pitch Pine towards the south side of the buffer. This area shall be managed as a no-cut zone.
- As offered by the applicant, the Church shall plant a hedge consisting of, but not limited to, native or island compatible evergreens, planted randomly at about 12 feet on center and more closely clustered for the perimeter close to Ryan's Way. See landscape plan for details.
- As offered by the applicant, the Church shall install and maintain a 6'-0" high cedar fence along the south edge of the property to screen the parking area from the neighbor. This fence shall be shown on the landscaping plan to be submitted to and approved by LUPC.
- As offered by the applicant, the Church shall provide and maintain a 3 foot cedar picket fence for child safety in the informal play area located in the north side of the property, see landscape plan for location and details.
- As offered by the applicant, the Parking areas shall not be paved, and shall have gravel, except for the entry and drop off
- As offered by the applicant, the over flow parking area shall be grass, and shall also be used as an informal play area for children. For child protection the church shall install a 3 foot high cedar picket fence.
- As offered by the applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- The Applicant shall recreate a 50-foot vegetated buffer along Edgartown-Vineyard Haven Road by re-planting the area with native species. Once replanted, the area shall be maintained as a no-cut vegetated buffer.
- The Applicant shall create an 8-foot high vegetated buffer along the southern property line, adjusting the parking layout as needed. The 6'-high cedar fence shall be located within this buffer in a way to screen it with vegetation from the abutter's property. This buffer and fence treatment shall be included in the landscaping plan to be submitted to LUPC.
 - As offered by the applicant, the Church shall use Energy-Star-rated Appliances.
 - As offered by the applicant, the Commercial Kitchen shall not have a "Fryolator" installed.
 - As offered by the applicant, the Kitchen shall have a grease trap and a contract with a Martha's Vineyard company to pump out the grease trap associated with kitchen use twice a year.
 - As offered by the applicant, the Commercial Kitchen shall not be used for or rented for producing commercial food products.
 - The commercial kitchen – being provided as required by the Oak Bluffs Board of Health – shall be used only in conjunction with church-related activities and shall not be used or rented for producing food products available for commercial sale or carry out.
- Should the water usage for the one-year period ending in June 2009, exceed the 1-year water use ending in June 2007 of 139,000 gallons, the Applicant shall implement a nitrogen reduction program within 1 year. The options are prioritized as follows:

- Nova Vida shall apply to the Oak Bluffs Sewer Commission to tie into the High School – YMCA sewer line. If accepted, the applicant agrees to tie in within 1 year. N
- If option 1 is not possible, Nova Vida shall consult with the MVC's Land Use Planning Committee to design an alternative nitrogen mitigation program. Mitigation shall take the form of one of the following and be prioritized in order:
 - Payment into a nitrogen mitigation escrow account to be used to reduce nitrogen loading to Sengekontacket Pond as per the Mass Estuaries Project recommendations. The amount shall be no greater than \$35,000.
 - Payment to augment or improve the nitrogen removal of the High School wastewater treatment solution. The amount shall be no greater than \$35,000.
 - Installation of a de-nitrification system on the property that is capable of removing at least 40% of the nitrogen in the wastewater.
- There shall be no wells on site.
- As offered by the applicant, the church shall limit the existing church capacity to 150 seats
- As offered by the applicant, the commercial kitchen shall have a grease trap which shall be inspected quarterly and pumped as necessary and shall keep records and make them available to the Board of Health.
- As offered by the applicant, further mitigation shall be dependent on future water use records exceeding the 2006 level by more than 10% (i.e. a water meter record exceeding 153,000 gallons per year) provided by the Water Resources Planner of the Martha's Vineyard Commission.
- As offered by the applicant, the Church water meter shall be checked twice a year, to determine water use. At the end of the year if the flow should exceed the mitigated gallons; the church will be willing to work with the MVC to find methods to lower the nitrogen load.
- As offered by the applicant, there shall be no residential use of the facility.
- There shall be no formal or informal activities on the property that exceed the Commonwealth of Massachusetts Department of Environmental Protection's Noise Control Regulation 310 CMR 7.10 at all boundaries of the property or that exceed the Oak Bluffs noise regulations.
- There shall be no formal or informal activities on the property before 7 am and after 9 pm unless the following has first been done to demonstrate that they can meet the Commonwealth of Massachusetts Department of Environmental Protection's Noise Control Regulation 310 CMR 7.10 at all boundaries of the property:
 - The Applicant submits a report from a qualified acoustical engineer or architect certifying that the building has sufficient sound control and mitigation features that the church's proposed activities shall not exceed the DEP standard at the property line, and that the engineer or architect take readings during church services, musical practices, and other typical activities, outlining the conditions under which the building was operating (e.g. with the windows or doors open or closed, air condition on or off, etc.), and that the DEP standard was not exceeded.
 - The Applicant maintains and operates under the same conditions as outlined in the report cited in condition 2a.
- As offered by the applicant, the Church shall keep building doors closed during services when amplifying.
- As offered by the applicant, the church shall have Air-conditioning, so opening of the windows during summer time shall be limited or not necessary during services and when amplifying.
- As offered by the applicant, there shall be no outside Amplification.
- As offered by the applicant, the Church shall not impose noise upon the residential neighborhood.
- As offered by the applicant, in late night services, the church shall discuss with the parishioners to maintain minimum interaction while exiting the property.
- As offered by the applicant, windows shall remain closed during services and when amplifying.
- The project shall exceed the Massachusetts Building Code requirements for energy by 20%.
- As offered by the applicant, the Church shall provide electric and piping mains roughed in for future solar hot water and solar electric panel installations.
- As offered by the applicant, all new construction shall be provided with insulation above that required by Mass Building Code, thus decreasing heat loss.
- As offered by the applicant, the new entry to the church is one story below the level of the church thus minimizing heat loss because of door openings and closings.

- As offered by the applicant, the utilization of the basement as a Community Room shall require very little additional heating and A/C and this space shall be fully insulated.
- As offered by the applicant, in any week, church services shall be no more than 3 regular church activities (e.g. Services, choir practice, etc...) with 35 or more people.
- As offered by the applicant, in any month, there shall be no more than one additional special activity (e.g. Weddings, visiting pastors, etc.) with 35 or more people.
- These activities shall be limited to between the hours of 9:00 AM and 9:00 pm
- As offered by the applicant, after closing (9:00 PM) there shall be no outdoor socializing and participants shall be asked to disperse quickly and quietly.
- As offered by the applicant, choir practice, religious school, and other church related activities of less than 35 people shall not be limited in the number of times they meet but shall be limited to between the hours noted above.
- As offered by the applicant, the Daycare shall be limited to 28 children, as approved.
- As offered by the applicant, the 1st floor shall always be a daycare, and in the future after the Martha's Vineyard Hospital Daycare moves, the 1st floor shall still maintain and continue its use as a Daycare, and shall be Daycare for both the Island Community Children and Church Community but shall be limited to 28 children. Note: 7.b is modified by 7.d.
- As offered by the applicant, the Church has no intentions of further intensifying the use of the Daycare, and shall maintain its use as presently used and the number of children.
- When the hospital daycare vacates the building the Applicant shall return to the MVC for review and approval for the continued use of the building as a daycare.
- As offered by the applicant, the Community Room shall only be used for church-related activities which include: gathering after church services, weddings once or twice a year, and religious classes
 - As offered by the applicant, the use of Community Room shall correlate with the church services.
 - As offered by the applicant, the Community room shall not be rented for any commercial activities or purposes, which include for lack of words, parties, and/or weddings other than Church related.
- As offered by the applicant, all exterior lighting on the building shall be limited to as required by code. All Exit doors shall be provided with downward shielded lights and shall be limited to Exit doors or all necessary Means of Egress, required by Code.
- As offered by the applicant, all exterior lighting locations shall be as depicted on the Lighting Plan, all the lighting in the parking area shall be downward shielded lighting and shall extend no more than 36 inches above the ground
- As offered by the applicant, any security lighting required by code shall have motion sensors.
- As offered by the applicant, entry lighting to the property shall be downward shielded and shall only be used to illuminate the church name sign.
- As offered by the applicant, the exterior lights shall be only turned on before services and shall be turned off immediately after the services.
- As offered by the applicant, Construction Documents shall be completed in Three months from the time of the MVC Approval appeal period expiration.
- As offered by the applicant, a building permit shall be obtained within 4 months from the time of the MVC Approval appeal period expiration.
- As offered by the applicant, a substantive start shall be made within 6 months of obtaining permission for this project from the MVC.
 - A substantive start shall be deemed to be stripping the second floor of present partitions, etc and doing structural work as may be required for a church to be built on the second floor.
- As offered by the applicant, all work on this project shall conform to the drawings submitted with this application by Terrain Architects. Terrain Architects shall evolve detailed Construction Documents to reach code compliance and all work on this project shall conform to these drawings.
- As offered by the applicant, all hardscape shall be as noted on plans.
- As offered by the applicant, all landscape and shrubbery and tree infill shall be as noted on these plans.

- As offered by the applicant, all building elevations, windows and silhouettes shall be as shown on plans, including all roof brackets, etc. Small changes may take place as these drawings are developed into Construction Drawings.
- As offered by the applicant, the Renovation and all site work shall be completed in a timely manner.
- As offered by the applicant, all renovation work shall be carried out in full compliance with all relevant codes for Structure, Egress, Fire smoke alarms and Energy Efficiency.
- As offered by the applicant, an on-site investigation of the existing structure was performed and some additional reinforcement shall be provided as required to the 2nd floor structure; this shall not affect the exterior elevation of the building in any aspect.
- As offered by the applicant, the Structure shall be reviewed by a structural engineer who shall also be required to sign off on the drawings as part of the building permit application requirement.
- As offered by the applicant, the Church shall promote the use of public transit
- As offered by the applicant, the Church shall institute a car-pooling /ride-sharing program
- As offered by the applicant, the Church shall instruct its members that no vehicle parking is allowed on the bike path or on residential streets.
- As offered by the applicant, the Church shall instruct its members that no vehicle parking is allow on or on the shoulders of Edgartown-Vineyard Haven road.
- As offered by the applicant, the Church is prepared, if possible in the future to relocate entry to the property from Edgartown-Vineyard Haven road and has provided 10 foot easement towards the West side, to allow shared entry between the Church and the Mormon's.
- As offered by the applicant, the Church shall create an alternate access site plan prepared for future reference which shows site organization if the access to the site was from Edgartown-Vineyard Haven Road Side along the boundary with the Church of Latter Day Saints.
- As offered by the applicant, the Church shall provide 34 formal parking spaces, which includes 2 handicap spaces. In addition, it shall provide 17 spaces for overflow parking on the grass.
- As offered by the applicant, all parking on the site shall be only for church and daycare purposes.
- As offered by the applicant, there shall be no overnight parking on the site except for the church van.
- As offered by the applicant, there shall be no unregistered vehicles stored on the site
- As offered by the applicant, the parking lot shall not be used as a commercial parking lot
- There shall only be 30 formal parking spaces on the site.
- The reconfigured parking plan shall return for the review and approval of the LUPC before the Building Inspector issues a Certificate of Occupancy.
- As offered by the applicant, a ten-foot right of way is established on the north Side of property abutting the Mormon Church land.
- As offered by the applicant, if the Mormon Church is willing, at any time in the future to offer the Assemblia De Deus Nova Vida access thru a joint curb cut to the Edgartown-Vineyard Haven Road, then Nova Vida shall accept their offer and use that joint access while closing off the entrances on Ryan's Way.
- As offered by the applicant, the drawing titled "Alternate Access Site Plan" shows the proposed traffic pattern and driveway revisions.
- As offered by the applicant, if the site access is relocated as per condition 13.b, the Church shall re-grade to original grade situation, the existing curb cut closer to the Edgartown-Vineyard Haven Road side of the property, and shall replant the curb cut with native trees, comprised of a mixture of Oak, Holly and Pitch Pine.
- Should the applicant substantially alter the use of the premises from the proposed uses it shall return to the Martha's Vineyard Commission to request approval of said alteration.

DRI 4-M3 MVSB – Uncas Ave Minor Modification October 2, 2008

On Thursday October 2, 2008 the Martha's Vineyard Commission voted that the proposal by the Martha's Vineyard Savings Bank located at 4 Uncas Avenue in Oak Bluffs (Map 11, Lot 157) to move the employee lounge upstairs to an area previously designated as storage in order to create an office on the first floor where the lounge and kitchenette are now is not significant enough to warrant a public hearing and voted not to concur that the proposal is a Development of Regional Impact. You may proceed with the local

permitting process. The Applicants, knowing that they were a DRI, submitted themselves for modification review. The Commissioners decided that this use does not require a public hearing based on there being no plans for any physical change to the exterior of the building and the minimal impact.

DRI 49-M2 M.V. Arena Wind Tower Approved with Conditions October 2, 2008

On October 2, 2008 the MVC approved with conditions a proposal to construct a wind tower up to 140 feet tall with a turbine up to a 65-foot diameter (maximum total height of 172.5 feet) with a 50-100 Kilowatt generator, located at the back of the MV Arena property and to install wireless telecommunications antennas on the tower for a maximum of four wireless providers. The project, located at 91 Edgartown-Vineyard Haven Road in Oak Bluffs (Map 50 Lot 30 - 3.28 acres), was conditioned with the following conditions:

- As offered by the Applicant, the Applicant shall build a wind tower with a maximum height to tip of blade of 172.5 feet. This includes a tower of a maximum height of 140 to the center of the hub, and a rotor of a maximum diameter of 65 feet.
- As offered by the Applicant, the Applicant shall have no more than four wireless telecommunication (cell phone) carriers housed on the tower.
- As offered by the Applicant, the wireless telecommunication antennae and their supporting structures shall not extend more than approximately 2' beyond the outside members of the tower.
- As offered by the Applicant and in order to minimize the number of future towers, the Applicant shall agree to co-location of up to four providers.
- As offered by the Applicant, the design of the cell phone antennae and their supporting structures shall be submitted to and are subject to the approval of the MVC Land Use and Planning Committee. They shall be designed to minimize their visibility.
- As offered by the Applicant, a final landscaping plan including exterior lighting and an implementation timetable showing plant species and locations shall be submitted for the review and approval of LUPC before construction begins.
- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, the Applicant shall relocate the current Arena curb cut in conjunction with the YMCA and according to the campus plan at which time plantings will be inserted in the space which in time will screen the tower from Edgartown Road. The Applicant shall also increase the vegetation between the front of the Arena and the Edgartown – Vineyard Haven Road and along the rear of the property, addressing the possibility of raising the grade at the rear, in order to better screen the rear of the property from the Land Bank property.
- As offered by the Applicant, the only lights on the wind tower shall be those required by the FAA and the Massachusetts Aeronautical Commission (MAC).
- As offered by the Applicant, exterior lighting on the equipment shed shall be limited to that required by code and shall be on a timer to ensure that it is turned off during the day as well as turned off during the night when the Arena is closed. Security lighting, if any, shall be on motion detectors.
- As offered by the Applicant, the only landscaping lighting that shall be installed is bollard lights no more than 3 feet tall, if needed for pedestrian and vehicular safety.
- As offered by the Applicant, if the wind turbine is not operational for a period of more than 12 months, the Applicant shall dismantle and remove the tower at its expense, unless the Applicant has returned to the Commission and received approval to maintain the tower, and possibly the cell phone antennae, without the wind turbine.
- As offered by the Applicant, if the tower is removed, the Applicant shall restore the site.
- As offered by the Applicant, all equipment shall be located in a compound enclosed by a fence with a shed.
- As offered by the Applicant, the Applicant shall maintain and install the equipment so that it does not result in an increase of more than 10db above average ambient level at any property line except for

rare occurrences during high wind events and the temporary operation of the generator for testing and during power failures.

- As offered by the Applicant, the applicant shall commission a study regarding avian mortality due to the wind tower for a period of one year beginning when the tower is operational.
- As offered by the Applicant, should Applicant wish to substantially alter the use of the premises from the proposed uses, the Applicant shall return to the Martha's Vineyard Commission to request approval of said alteration.

DRI 324-M M.V. Hospital

Approved Brick Hue

October 2, 2008

On Thursday October 2, 2008 the Martha's Vineyard Commission approved the bricks selected by the Hospital for the new building. The Commission also suggested that, if it is not too late, the Hospital architect work with the supplier of the bricks to try to get more of a middle range of tones, making the darkest 10% in the mix somewhat lighter. The MVC approved the following plans in 2007: the Waste Stream Management Plan; the Storm Water Management Plan; the Sedimentation and Erosion Control Plan; the Lighting Plan; and the Exterior Architectural Plans. Now the bricks have been approved. The following items are still awaiting approval by the Martha's Vineyard Commission.

- A final landscape plan for each area of the site must still be reviewed and approved by the Full Commission before those areas are landscaped. This includes the parking areas, the entry courtyards, and the roof deck.
- The Hospital must provide additional parking for at least 60 cars, either on or off site, before the issuance of a Certificate of Occupancy.

DRI 617 Fortune World

Approved with Conditions

October 16, 2008

On October 16, 2008 the MVC approved with conditions a proposal to demolish an existing, vacant, fire-damaged, 1-story 2-bedroom multi-use building and, in its place, to erect a 2-story multi-use building including retail on the ground floor and two 1-bedroom housing units on the second floor. The project, located at 6 Sea View Avenue Extension in Oak Bluffs (Map 9 Lot 41.1 - 0.11 acres), was conditioned with the following conditions:

- As offered by the Applicant, a final landscaping plan including an implementation timetable showing plant species and locations shall be submitted for the review and approval of LUPC before construction begins.
- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, storm water run-off shall be controlled thru permeable driving surfaces, gutters and downspouts that tie into a dry well on the property as shown on the revised Site Plan, and will be annotated on the construction documents.
- As offered by the Applicant, the existing Willow tree to the north of the property shall be protected during construction.
- As offered by the Applicant, a final lighting plan shall be submitted to and is subject to the approval of LUPC before construction begins. It shall be based on the following principles.
 - All exterior lighting shall be downward shielded to prevent direct light from escaping the property.
 - Exterior lighting on buildings shall be limited to that required by code and shall be on timers to ensure that they are turned off during the day as well as turned off during the night when the store is closed.
 - For landscaping, bollard lights shall be no more than 3 feet tall, if needed for pedestrian and vehicular safety.
 - Lighting on signs shall be shielded to prevent glare for drivers. Signs on building shall be downward shielded to prevent direct light from escaping the property.
 - Security lighting, if any, shall be on motion detectors.
- As offered by the Applicant, both residential rental units shall be occupied on a year-round basis.

- As offered by the Applicant, vehicular access to the property shall only be accessed from the rear easement. If the owner cannot secure the revised legal easement the owner will re-apply to the MVC.
- As offered by the Applicant, Fortune World, LLC shall not rent or sell the ground floor business space to any of the following types of businesses (the MVC High Traffic Generating List): fast food restaurant; hardware store; convenience store; bank; auto parts store; video store; and moped/car rentals without returning for the approval of the Commission. Nor other businesses that generate more than 120 trips per day per 1000 square feet (based on the current Institute of Traffic Engineers Handbook) shall be allowed in the building.
- As offered by the Applicant, and as prohibited in the deed, the property shall not house a restaurant or liquor establishment.
- As offered by the Applicant, the project shall be tied into the town waste water system and existing septic system will be removed which has been approved by the Town of Oak Bluffs Wastewater Commission.
- As offered by the Applicant, the building shall exceed the Massachusetts Building Code energy requirements by 20%.
- As offered by the Applicant, all mechanicals shall be located in the basement or insulated attic space aside from the air conditioning condensers.
- As offered by the Applicant, the exterior building materials shall be cedar shingle siding with white trim.
- As offered by the Applicant, all substantial construction to the exterior of the building shall take place between Columbus Day and Memorial Day.
- As offered by the Applicant, should Fortune World, LLC substantially alter the use of the premises from the proposed uses it shall return to the Martha's Vineyard Commission to request approval of said alteration.

DRI 4-M4 Our Market Solar Minor Modification October 16, 2008

On Thursday October 16, 2008 the Martha's Vineyard Commission voted that the proposal to modify DRI-4, the Our Market building (East Chop Drive, Oak Bluffs Map 8 Lot, 137) by installing a 10-kilowatt Photo Voltaic system (grid-tied) on the south facing roofs of the main store front and rear warehouse of the Our Market building is not significant enough to warrant a public hearing and approved the modification. The Applicants, knowing that they were a DRI, submitted themselves for modification review.

DRI 4-M5 Our Market Freezer Minor Modification November 6, 2008

on Thursday December 4, 2008 the Martha's Vineyard Commission voted that the proposal to modify DRI-4 (Our Market) by replacing a walk-in freezer and two free standing freezers with a new structure that would consolidate the freezing operation with a 16' X 10' new freezer and a 14' X 5' utility room (230 sf) is not significant enough to warrant a public hearing and approved the modification. The Applicants, knowing that they were a DRI, submitted themselves for modification review. The new structure would extend two feet beyond where the free standing freezers are now. The roof of the new structure would mirror an existing addition, though it would be two feet thinner on each side.

DRI 619 Igreja Evangelica Approved with Conditions December 18, 2008

On December 18, 2008 the MVC approved with conditions a proposal to renovate an existing one-story 4,669 sf industrial building (5,634 sf with loading platform and canopy) and convert it into a church. The footprint of the building would not be changed. The Applicants are proposing a multi-phase project beginning with landscaping and screening. The project, located at 60 Pacific Avenue in Oak Bluffs (Map 11 Lot 272 - 0.67 acres), was conditioned with the following conditions:

- As offered by the Applicant, in any week, there shall be no more than 4 regular church activities (e.g. 3 Services and one Sunday school) with 25 or more people.
- As offered by the Applicant, in any month, there may be one additional Church related special activity with 25 or more people.
- As offered by the Applicant, services shall be limited to the hours between 9 AM and 9:30 PM.

- As offered by the Applicant, choir practice, religious school, and other church related activities of less than 25 people shall not be limited in the number of times they meet but shall be limited to the hours noted above.
- As offered by the Applicant, the Sanctuary will be used for Church Services and will have a limited capacity of 125 seats.
- As offered by the Applicant, the Activity Room will only be used for Church Related Activities, these rooms are:
 - Office- The offices are for the Pastor, the treasurer and the secretary.
 - Crèche- For Children to stay during church services and other church activities and will not be a daycare for church members or others.
 - Kitchen- Warming and preparation of food for church use only.
 - Study- For 8-10 people bible study.
 - Church Hall- Gathering space for the congregation
- As offered by the Applicant, the Activity room shall not be rented for any commercial activities or purposes.
- As offered by the Applicant, the kitchen shall not be rented for commercial activities and shall be for church use only.
- As offered by the Applicant, the Church shall use Energy-Star-rated Appliances.
- As offered by the Applicant, the Kitchen shall not have a "Fryolator" installed.
- As offered by the Applicant, the Kitchen shall have a grease trap and a contract with a Martha's Vineyard company to pump out the grease trap associated with kitchen use twice a year.
- As offered by the Applicant, maximum passive solar advantage will be gained on the south elevation of the church activity rooms by providing maximum glazing for passive solar gain. Window areas are limited on other elevations.
- As offered by the Applicant, the Church shall provide conduits roughed in for future solar hot water and solar electric panel installations on the roof.
- As offered by the Applicant, all new construction shall be provided with sprayed icynene insulation, above that required by Mass Code.
- As offered by the Applicant, air conditioning and heating will be kept at minimum levels when spaces are not being used.
- As offered by the Applicant, they will work with Cape Light Compact during the working drawing phase to maximize the energy efficiency of all electric, H.V.A.C. and other systems for the renovated building.
- As offered by the Applicant, the Church shall use Energy Star rated appliances when available.
- As offered by the Applicant, all exterior lighting on the building shall be limited to that required by code. All Exit doors will be provided with downward shielded lights.
- As offered by the Applicant, all the lighting in the parking area will be downward shielded lighting and will extend no more than 42 inches above the ground.
- As offered by the Applicant, the Church sign shall comply with the Oak Bluffs, sign regulations.
- As offered by the Applicant, lighting used to illuminate the sign shall be downward shielded
- As offered by the Applicant, the Sign shall be turned off after the services.
- As offered by the Applicant, the Church shall provide a fence on the North, South and East side of the property set back 5'-0" from the property line; to screen the parking area from the neighboring streets and for child safety, the landscape plan shows the location of the fence.
- As offered by the Applicant, the fence shall be 4' high on the South and East perimeters and sweep up in a curve to a height of 6' on the North side to insure privacy for the adjacent residential property.
- As offered by the Applicant, a photograph of the fence shall be included with the landscape drawings; it shall be dark painted green, solid wood.
- As offered by the Applicant, the Church shall create one or more gateways in the landscape fence.
- As offered by the Applicant, there shall be a 10 foot vegetative buffer on the North, South and East side of the property, the buffer will consist 10 foot planting with a solid wooden fence at the center of the buffer, set back 5 feet from the property line, thus allowing a vegetative buffer on the outside of the fence (i.e. the neighbors side).
- As offered by the Applicant, the Pacific Avenue shall have Red Maple trees.
- As offered by the Applicant, the Parking areas towards the North side shall not be paved, and will have a gravel surface.

- As offered by the Applicant, the Parking towards the South side is paved and shall be provided with vegetative catchments and an over flow dry well (see Drainage Plan from Sourati Engineering).
- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, the architect or an acoustic engineer shall certify that the building was designed so that it can be operated in a way that respects Commonwealth of Massachusetts Department of Environmental Protection's Noise Control Regulation 310 CMR 7.10 at all boundaries of the property.
- As offered by the Applicant, the Church shall operate the building so that this Noise Control Regulation is not exceeded.
- As offered by the Applicant, the Sanctuary shall be air-conditioned.
- As offered by the Applicant, the compressor is to be located inside the fence (as set forth in the plans) and shielded by dense plantings.
- As offered by the Applicant, acoustical gaskets shall be on sanctuary doors.
- As offered by the Applicant, two sets of doors with entry in between lead to the sanctuary.
- As offered by the Applicant, icynene sprayed insulation shall be used on all walls and ceilings.
- As offered by the Applicant, the interior of the Sanctuary shall have Acoustical absorbing material on walls and ceiling.
- As offered by the Applicant, the Church shall keep building doors closed during services
- As offered by the Applicant, after Services there shall be no outdoor socializing and participants will be asked to disperse quickly and quietly.
- As offered by the Applicant, this Project shall be completed in six phases to accommodate the needs of the Church
 - Phase 1- Landscape screening including fence and perimeter planting
 - Phase 2- Sanctuary with restrooms
 - Phase 3- Initial phases of activity rooms
 - Phase 4- Further landscape
 - Phase 5- Completing activity rooms
 - Phase 6- Completing landscape
- As offered by the Applicant, all work on this project shall conform to the drawings submitted with this application by Terrain Architects. Terrain Architects shall evolve Construction Documents to reach code compliance and all work on this project shall conform to these drawings.
- As offered by the Applicant, all hardscape shall be as noted on plans.
- As offered by the Applicant, all landscape and shrubbery and tree infill shall be as noted on these plans.
- As offered by the Applicant, all building elevations, windows and silhouettes shall be as shown on plans. Small changes may take place as these drawings are developed into Construction Drawings.
- As offered by the Applicant, the Renovation and all site work shall be completed in a timely manner.
- As offered by the Applicant, the construction documents, including drawings, will conform to offers and conditions included in the MVC decision and the contractor will be instructed as to the offers and conditions, and the contractor will sign a document indicating that they have read and understand the offers and conditions.
- As offered by the Applicant, it is agreed that all renovation work shall be carried out in full compliance with all relevant codes for Structure, Egress, Fire smoke alarms and Energy Efficiency.
- As offered by the Applicant, the structure will be reviewed by a structural engineer as part of the building permit application requirement.
- As offered by the Applicant, the Church shall promote the use of Public Transit by providing VTA passes to parishioners.
- As offered by the Applicant, the Church shall promote their existing car-pooling program.
- As offered by the Applicant, the Church shall instruct its members that no vehicle parking is allowed on neighboring or on residential streets.
- As offered by the Applicant, the church offers their parking lot to be used by the town hall and the library all day until 6 pm, Monday through Saturday.

- As offered by the Applicant, the Church has 32 parking spaces which includes 2 handicap spaces.
- As offered by the Applicant, there shall be no overnight parking on the site.
- As offered by the Applicant, there shall be no unregistered vehicles stored on the site.
- As offered by the Applicant, the parking lot shall not be used as a commercial parking lot.
- As offered by the Applicant, there shall be no parking on the lawn.
- As offered by the Applicant, if the Town creates a sidewalk or walkway on either or both sides of the Church on Pacific Avenue, the Church shall build a pedestrian connection across their property along Pacific Avenue.
- As offered by the Applicant, the church offers to use a Bioclere De-nitrification Septic System for waster water
- As offered by the Applicant, the church shall limit the Church Capacity to 125 Seats
- As offered by the Applicant, the Church shall Limit their use of the facility, see Church Services for details
- As offered by the Applicant, the Kitchen shall have a grease trap which will be inspected quarterly and pumped a minimum of two times per year.
- As offered by the Applicant, there shall be no residential use of the facility.
- As offered by the Applicant, a Plan for the gravel and paved parking areas shall be submitted for the review and is subject to approval of the LUPC.
 - In the gravel parking area, the downhill end of the gravel parking area needs a berm to retain as much of the runoff from this surface as possible. The way the grade runs on the current drainage plan, it will drain onto the street behind the property; that should be corrected within reason.
 - The plan for the paved parking area and adjacent stormwater bio-retention swale for stormwater shall indicate soil (sand, loam, and compost) and plant materials, and shall be designed with the goal of retaining on the site all stormwater runoff generated in a 10-year storm.
- As offered by the Applicant, a contract for the Operation and Maintenance of the de-nitrification system shall be executed, a copy of which shall be submitted to the MVC. This contract shall:
 - Require that the system be tested quarterly until it has produced satisfactory results for four straight quarters, meeting best practices for de-nitrification systems, and
 - Once the system produces satisfactory test results for four consecutive quarters, require that the system have quarterly inspections and an annual test.

Currently Under Review

Additionally the MVC has two projects in Oak Bluffs that were referred as DRI's but are still in progress.

DRI 615 Muckerheide Housing Currently Under Review

On April 24, 2008 the MVC was referred a project located at 114 and 116 Dukes County Avenue in Oak Bluffs (Map 17 lots 22 and 24.1 - 0.27 acres total) for a 10-unit housing development. The project has changed and been continued several times. Currently a revised proposal is to demolish the existing structure and build a single new 12,672 sf (66' x 64' x 3 stories) building with twelve 784 sf two-bedroom units to be sold between \$325,000 and \$350,000 per unit. A continued public hearing is scheduled for January 8, 2009.

DRI 612-M Bradley Square Revised Currently Under Review – Referred 12/9/08

The Bradley Square Project that was approved by the Martha's Vineyard Commission in July 2008 was significantly modified during its review by the Oak Bluffs Zoning Board of Appeals and requires further review by the MVC. The revised proposal maintains the renovated church building (including a meeting room, an office, and one residential unit) on its existing site, and proposes to build two new buildings (one with five residential units and one commercial unit facing Dukes County Avenue, and one with four residential units facing Masonic Avenue). The revised project would have a total of ten apartments (two would be live-work spaces with 114 sf of "work" space each) with 13 bedrooms, one 928 sf market rate commercial unit, one 235 sf office, one 710 sf meeting room, and 20 off-street parking spaces. The public hearing is scheduled for January 15, 2009.

MVC - DEVELOPMENTS OF REGIONAL IMPACT - TISBURY 2008

Of the **38** projects the Commission reviewed **10** were in Tisbury. Of the **10** projects in Tisbury **5** were full DRI's approved with conditions (**3** of those being a modification to a previously approved DRI's, **1** of which was only approved for five years); **0** were denied; **1** was remanded back to the town as a Minor Modification to a previously approved DRI; **1** was sent back to the town as a Non-Concurrence; **1** was sent back because it did not need to be referred; and **2** were withdrawn. The **5** DRI's Approved by the MVC were the M.V. Electric/Cornerstone Building (DRI 566-M); the Plumbers Supply Addition (DRI 266-M); the Doug Hoehn Building (DRI 613); Shirley's Hardware Wall (DRI 380-M); and AA Car Rental at 5 Corners (DRI 616). The remand was Rickard Bread (DRI 311-M), and the non-concurrence was Medicine Shoppe (C.R. 6 – 2008).

DRI 609 Growing Church Referral Not Required January 7, 2008

On Monday January 7, 2008 the Land Use Planning Committee of the Martha's Vineyard Commission decided that the referral of the New Life Assembly of God (Paul Tenorio - Pastor) located at 44 Pine Street (Map 8 Lot 3.1) is not a project the current DRI Checklist requires to be referred. The project was sent under Checklist item 3.301b which says that the following projects should be referred "Any development of commercial, storage, office and/or industrial lands or building(s), or any private educational facility that has: b) new construction of addition(s) or auxiliary building(s) totaling 1,000 square feet or more of floor area, such square footage resulting in a total square footage of 2,000 feet or more". The LUPC decided that the church project did not fall under this item because it is not commercial, storage, office, industrial or a private educational facility. The LUPC felt that the Checklist should include expansions of places of assembly such as this project but it currently does not.

DRI 311-M Rickard Bread Remanded February 7, 2008

On Thursday February 7, 2008 the Martha's Vineyard Commission decided that the proposed modifications to DRI 311 are not significant enough to warrant a public hearing and voted not to concur that the proposal to locate a bakery in a 3200 sf (half of building) building that formerly housed a party and tent rental business is a Development of Regional Impact. The property became a DRI in 1989 when James Rogers applied to build the 2-unit 6,400 square foot building. The MVC approved the proposal with conditions including that the building be restricted to wholesale business. The Commission felt that the Rickard Bakery proposal would use less water and create less traffic than the previous usage (tent rental) and therefore voted that it is not a substantial enough change to require a public hearing as a DRI.

DRI 566-M Cornerstone Approved with Conditions April 3, 2008

On April 3, 2008 the MVC approved with conditions a proposal to subdivide one 22,680 square foot lot into two 11,340 square foot lots and construct a two-story 4,235 square foot building for the shop and office of Cornerstone Builders with a two-bedroom apartment. The project, located at 44 Evelyn Way, in Tisbury, MA (Map 22-C Lot 7.1 - 0.53 acres), was conditioned with the following conditions:

- As offered by the Applicant, exterior lighting on the building shall be limited to that required by code and shall be downward shielded to prevent direct light from escaping the property.
- As offered by the Applicant, any security lighting will be motion sensitive.
- As offered by the Applicant, the two bedroom apartment on the second floor will be used exclusively as a year round rental apartment, preferably for the use of employees of the resident business.
- As offered by the Applicant, a final landscaping plan showing plant species (to be local and indigenous) and locations is to be submitted for the review and approval of LUPC before a Certificate of Occupancy is issued.
- The Applicant will landscape the frontage of both lots on Evelyn Way, such landscaping to be completed within three years of the issue of this Decision.

- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, the Beech tree that currently stands in the grove at the front of the property will be transplanted to the northwest corner of the M.V. Electric side of the property.
- If the Beech tree should not survive the transplantation the Applicant will replace it.

DRI 206-M Plumber Supply Approved with Conditions March 20, 2008

On April 3, 2008 the MVC approved with conditions a proposal to build a 6,600 square foot addition on to the back of the Plumbers' Supply Building (Existing 9,240 sf) to be used by Baynes Electric Supply Company as their retail outlet to be accessed from Evelyn Way. The project, located at 98R State Road in Tisbury, MA (Map 22 Lot 20 - 1.65 acres) was approved with the following conditions:

- As offered by the Applicant, a final landscaping plan, including an implementation timetable, showing plant species and locations is to be submitted for the review and approval of LUPC before construction begins.
- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, new exterior lighting will consist of two dark sky compliant (downward shielded) lights on the side of building (on plans) that will be turned off when the building is not open.
- As offered by the Applicant, the house in front will be used exclusively for staff housing.
- As offered by the Applicant, if the use of the house were to be changed to a rental then the applicant will pay the MVC recommended affordable housing mitigation fee of \$4,900.
- As offered by the Applicant, the applicant will install an additional water meter to record the water use for the house separate from the water use for landscaping.
- As offered by the Applicant, the applicant will limit turf fertilization to once each year with slow release nitrogen type fertilizer applied at no more than 1 pound of actual nitrogen per 1000 sf.
- As offered by the Applicant, the house water flow will be limited to 12,000 gallons per year (approximately 60 days use) after construction is completed.
- As offered by the Applicant, in the future if the Applicant wants to expand the house to year round use and/or add new residential uses to the property the applicant will offset any additional nitrogen load by tying in to a wastewater collection/treatment system if available or by reducing existing nitrogen loading elsewhere in the watershed.
- As offered by the Applicant, all fixtures will be NSTAR approved energy efficient fixtures.
- As offered by the Applicant, in the proposed addition the only space that will be heated will be the office area.
- As offered by the Applicant, the Hours of operation for the project will be 7:00 am to 5:00 pm.

DRI 39-M5 Cottrell/V.N.A. Withdrawn May 8, 2008

This proposal was withdrawn on May 8, 2008. The proposal was to expand the active space in an existing building in order to accommodate the Visiting Nurse Association (V.N.A) absorbing the Visiting Nurse Service (V.N.S.). The VNA found space elsewhere while waiting to find out whether the proposal would be reviewed as a DRI. The active space in the building was previously limited by the MVC during a non-concurrence vote on whether the construction of a reconstructed building required review as a DRI. The MVC said it did not require review as a DRI at the time based upon the amount of active and passive space and because the proposal was not deemed to be a demolition.

The property was also believed to be part of a previous DRI (DRI 39) and therefore subject to MVC Review for modifications. However the owner of the building, Chris Cottrell, submitted documents that prove that at the time of the original DRI 39 in 1976 his building was not part of that plan. The plan for DRI 39 shows his original building but the description of the project excludes the area in which his building is. Therefore, 457 State Road (Map 39, Lot 2.17) in Tisbury is not a DRI. However, as described in a letter to the Tisbury DRI Annual Report 2008

Building Inspector on June 28, 2005, should there be any material change to the project, including any conversion of the residential or storage areas to another use, the modification should be referred back to the Commission.

DRI 613 Doug Hoehn Bldg. Approved with Conditions June 26, 2008

On June 5, 2008 the MVC approved with conditions a proposal to divide two commercial lots into three commercial lots, build one two-story commercial building (2,688 sf), and set master plan guidelines for the two remaining lots. The project, located at DeBettencourt Way in Tisbury, MA (Map 23A Lot 19.3 and 19.4 - 1.11 acres) was approved with the following conditions:

- As offered by the Applicant, the Applicant shall submit a final landscaping plan showing plant species and locations for the review and approval of LUPC before construction begins.
- As offered by the Applicant, the applicant shall coordinate with the cemetery commissioners to create a planted buffer along the common property line with the cemetery that is mutually acceptable to the applicant and the cemetery commissioners and will incorporate the buffer planting in the landscape plan.
- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and/or insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, all landscaping plans shall use best management practices.
- As offered by the Applicant, all exterior lighting on buildings shall be limited to that required by code and security lights shall be on motion detectors.
- As offered by the Applicant, landscape lighting shall be installed as depicted on the landscape plan and shall extend no more than three (3) feet above the ground.
- As offered by the Applicant, any security lighting shall be motion sensitive.
- As offered by the Applicant, all exterior lighting will be downward shielded to prevent direct light from escaping the property.
- As offered by the Applicant, a final lighting shall be submitted to and is subject to the approval of LUPC before construction begins.
- As offered by the Applicant, the Applicant shall work with an insulation consultant and contractor to design and install a system of cellulose and high-density foam insulation and venting.
- As offered by the Applicant, the architects for the applicant, Sullivan & O'Connor, shall incorporate energy-efficient windows and doors that exceed the requirements in the Mass. Building Code and utilize techniques outlined in the EnergyStar building program.
- As offered by the Applicant, the building shall have energy-efficient lighting, such as compact fluorescents, wherever possible.
- As offered by the Applicant, the building shall have tankless (on-demand) hot water units.
- As offered by the Applicant, the building shall have a high efficiency heating and air conditioning system.
- As offered by the Applicant, thermostats will be put on timers to save heating and cooling costs when the building is unoccupied.
- As offered by the Applicant, the building has been oriented to take advantage of southern exposure and the applicant is proposing an 8 panel Grid-Tied Solar Electric System, if it is determined that it is economically feasible to do so.
- As offered by the Applicant, the applicant is offering, at his own expense, to reconfigure two access points onto State Road into one in order to increase safety and enhance the aesthetics of the area. This improvement is contingent upon the agreement of several parties, and cannot be assured. The applicant agrees to make a good-faith effort to accomplish this improvement. Otherwise, the access to these properties will continue to be over their legal access of DeBettencourt Way.
- As offered by the Applicant, there shall be a one-bedroom staff apartment in the lower level. If staff housing is not needed then the apartment will be rented on a year-round or seasonal basis - possibly for a seasonal worker. The apartment shall not be used on a weekly basis.
- As offered by the Applicant, the applicant shall start an annual scholarship at the Martha's Vineyard Regional High School of \$2,000 for a graduating senior entering a college degree program in Surveying or

Engineering. The scholarship will be paid in 2 segments - \$1,000 before the freshman year, and \$1,000 before the sophomore year. The first year, the donation will be \$1,000, and the donation will be \$2,000 per year after that. The first scholarship satisfies the affordable housing contribution for lot A, and that the next two scholarships satisfy the affordable housing contributions for lots B & C. The applicant hopes to continue this scholarship for many years after the initial three years, as long as he is financially able to do so.

- As offered by the Applicant, the Applicant shall address the MVC Water Quality Policy in one of the following ways:
 - Tie the buildings on all 3 lots into town sewer if town sewer becomes available prior to construction on these lots, or
 - If construction on the 3 lots commences prior to a town sewer being available, the applicant proposes to install de-nitrification units for the buildings on the 3 lots, and also offers to pay for the installation of a de-nitrification system for the abutting DeBettencourt property when a replacement system is proposed for that property (sized for a six bedroom residential flow), or
 - Make a reasonable monetary contribution to a study that contributes to improving the water quality of Tashmoo Pond or to a study of the feasibility of a town sewer system in the B2 district. The monetary contribution would be based on the difference in cost between the standard and denitrifying wastewater system to be approved by the MVC Land Use Planning Committee.
- As offered by the Applicant, the Applicant shall create bio-retention areas, directing stormwater runoff to naturally vegetated areas and areas planted and mulched with native vegetation wherever possible.
- The Applicant shall not rent or sell to any of the following types of businesses: fast food restaurant; hardware store; convenience store; bank; auto parts store; video store; and moped/car rentals without returning for the approval of the Commission.
- No other business that generates more than 120 trips per day per 1000 square feet (based on the current Institute of Traffic Engineers Handbook) shall be allowed in the building.

DRI 380-M Shirley's Hardware Approved W/Cond/5 years August 14, 2008

On August 14, 2008 the MVC approved with conditions for a period of five years a proposal to excavate the hill behind Shirley's Hardware and build a retaining wall approximately 20' high built of 2'x2'x6' stacked concrete blocks and to install 14 storage containers (each about 9' x 8' x 40') primarily for seasonal stock and to park three truck tractor-trailers for an indefinite period. The project, located at 374 State Road in Tisbury, MA (Map 22A Lot 14 - 1.08 acres) was approved with the following conditions:

- At the end of five years (August 14, 2013), the containers and tractor-trailers must be removed, unless the Applicant applies for, and the Martha's Vineyard Commission approves, either an extension to or modification of this approval.
- A landscaping plan shall be submitted to and is subject to the approval of LUPC. This shall include completing the landscaping on his property as per the original decision requiring that, if the landscaping on abutting properties was removed as subsequently happened, the owner would landscape on his property. This shall include fencing and evergreen screening along both side property lines to screen the view of the containers as well as the tractor trailers from State Road. The rear parking lot shall be reestablished as per the originally approved parking plan.
- As offered by the Applicant, in addition to the trees and shrubs identified on the planting plan, the applicant shall plant four cedar trees (two on either side) in front of the trailers parked at the sides of the loading dock in the area that is not currently paved and lies between the designated parking and the trailers.
- As offered by the Applicant, the Applicant shall ensure that all loading and unloading of containers and trailers will be confined to the loading and unloading area created in this Modification at the rear of the property behind the designated parking area.
- As offered by the Applicant, the Applicant shall have no more than 14 containers stationed as indicated on the site plan (two high and seven across). In addition to these containers the Applicant may have no more than three trailers for long-term loading, unloading, product assembly, and storage. The two central bays in front of the loading dock shall be for short term (2-3 days) loading and unloading.

DRI 616 AA Car Rental Approved with Conditions August 14, 2008

On August 14, 2008 the MVC approved with conditions a proposal to replace a two-story house and outbuilding with a single three-story multi-use structure with a rental car business on the first floor and grounds with two apartments upstairs. The proposed building would contain 1,998 sf of office space and would be built on a concrete slab at grade. The site would be used for parking a maximum of 10 cars on site (2 for residences, remainder for rental business) with a 24 car a day limit. The project, located at 6 Water Street in Tisbury, MA (Map 7-F-9 - 0.11 acres) was approved with the following conditions:

- As offered by the Applicant, the two apartments at the premises shall be rented to employees of the owner, or if the owner has no employees who need rental housing, to members of the general public, provided that no rentals may be on a short-term basis.
- As offered by the Applicant, the Applicant shall prohibit left turns into the proposed site. The Applicant shall install a "No Left Turn" sign at the appropriate project driveway location or on Water Street at a location visible to drivers heading to the ferry terminal.
- As offered by the Applicant, the Applicant shall provide instructions to clients that when returning rental vehicles they must continue on Water Street to the turn-around and return to the proposed site, making a right turn into the property. An alternate return route could be from Main Street via Union Street or Cromwell Lane.
- As offered by the Applicant, the exterior siding materials shall be cedar shakes and with white trim.
- The building design shall be similar to design option 2 (attached). However, a revised design with the bulk of the shed dormer reduced – especially by setting it further back from the front façade and by lowering the height – shall be submitted to and is subject to the approval of the MVC Land Use and Planning Committee (LUPC).
- A final landscaping plan shall be submitted to and is subject to the approval of the LUPC. It shall include a clear indication of the driving areas, curbing, surface materials, at least one and preferably two large street trees (one on an island separating the incoming and outgoing traffic, if possible), and other vegetation. The width of the curb cut and front driveway shall be minimized consistent with safety, with input from MVC Traffic Engineer.
- The applicant shall cooperate with the Town to make the sidewalk as well delineated as possible, preferably by continuing the sidewalk material across the curb cut.
- A stormwater design maximizing the retention of runoff from roof, parking, and travel surfaces shall be submitted to and is subject to the approval of the LUPC.
- As offered by the Applicant, all exterior lighting on buildings shall be limited to that required by code and security lights shall be on motion detectors.
- As offered by the Applicant, all exterior lighting will be downward shielded to prevent direct light from escaping the property.
- There shall be a 10'-wide dormant easement along the east edge of the property allowing for the possible future relocation of the curb cut and driveway along the property line to be shared, should the Town of Tisbury determine that this is desirable and feasible.

DRI 611 DeSorcy 5 Corners Withdrawn August 15, 2008

On August 15, 2008 the architect for the applicant wrote to withdraw a proposal at 4 Water Street and 44 Beach Street in Tisbury. The proposal had already been postponed after a preliminary staff/applicant meeting between MVC staff and the applicant. The proposal was for a two-story mixed-use building on 5 Corners.

CR-6 '08 Medicine Shoppe Non-Concurrence W/ Plan September 18, 2008

On Thursday September 11, 2008 the Martha's Vineyard Commission (MVC) decided that the paving of the parking lot by the Medicine Shoppe pharmacy at 117 Beach Road did not require a public hearing review as a Development of Regional Impact (DRI) provided that the storm water is infiltrated into the planting beds, the parking in the back is according to the plan (two parking spots), and they add two street trees to the front planting beds.

Previously, on Thursday February 16, 2006 the MVC had voted to not to concur that the project at 117 Beach Road was a Development of Regional Impact based on the following specific aspects of the plan:

- The 2nd floor was to be used exclusively for year-round residential purposes and to be deed restricted in perpetuity to this effect;
- Ground floor commercial uses to exclude any uses in the MVC list of high-traffic generating uses.
- 5 parking spaces in front of the building including 1 handicap space;
- All parking and driveways in pervious materials, except handicap parking;
- A 12-foot wide vegetated area along Beach Road and along the side property lines in front of the building, to be used for planting of native species to screen the parking yet allow sufficient sightlines for cars entering and exiting the lot,

Any alteration to this proposal, whether requiring a permit or not, might constitute a DRI and must therefore be referred to the MVC by the owner or the town permit-granting authority for a new DRI determination.

DRI 593-M 18 State Road - Thai Currently Under Review

Additionally the MVC has met with Silvestro Schiavone about a proposal he has for his property located at 18 State Road in Tisbury. The MVC has been in contact with the Building Inspector about the project and is currently awaiting the referral. His proposal for 18 State Road in Tisbury, MA (Map 9-A Lot 4 - 0.33 acres) is to locate a 44-seat Thai restaurant in the front building (formerly the Pisano-Belushi Gallery).

MVC - DEVELOPMENTS OF REGIONAL IMPACT – WEST TISBURY 2008

Of the **38** projects the Commission reviewed **5** were in West Tisbury. Of the **5** projects in West Tisbury **2** were full DRI's approved with conditions (**1** of those being a modification to a previously approved DRI's and the other being primarily a new building but tied to an old DRI); **0** were denied; **2** were remanded back to the town as a Minor Modification to a previously approved DRI; and **1** was sent back to the town as a Non-Concurrence. The **2** DRI's Approved by the MVC were the Martha's Vineyard Agricultural Society's new barn (DRI 374-M) and the Martha's Vineyard Savings Bank new building (DRI 454-M). The remands were Ferry Tennis (DRI 598-M) and Options in Education (DRI 423-M6), and the non-concurrence was Up Island Paint (C.R. 4 – 2008).

DRI 598-M Ferry Tennis - Yoga Minor Modification June 5, 2008

On Thursday June 5, 2008 the Martha's Vineyard Commission decided that the proposed modifications to DRI 598-M were not significant enough to warrant a public hearing and voted not to concur that the proposal to convert the two upstairs offices at the James Ferry Tennis complex located at 21 Amos Lane (Map 16 Lot 71.1) into one yoga instruction studio is a Development of Regional Impact. The Commissioner's felt that the proposed use is not of a regional nature and can be dealt with at the town level. The Commissioner's noted that the dog-groomer in the street front home has moved out and that building is now used solely as a residence.

DRI 423-M6 Options in Education Minor Modification June 12, 2008

On Thursday June 12, 2008 the Martha's Vineyard Commission decided that the proposed modifications to DRI 423-M6 were not significant enough to warrant a public hearing and voted not to concur that the proposal is a Development of Regional Impact. The proposal was for an addition to the Charter School of 2,304 square feet creating a total area for the school of 13,750 square feet. The purpose of the addition is to increase the technology, media, and library facilities; to add additional small group spaces for special education, literacy, and occupational therapy programs; and to add an art and music space. The DRI Annual Report 2008

Commissioner's voted to not concur with the referral due to the belief that the project is not adding to the capacity of the facility and thereby not increasing traffic or wastewater impacts. The Commissioners noted that the construction was consistent with the broader master plan for the property that the Commission had previously approved.

DRI 374-M M.V. Ag. Society Barn Approved with Conditions June 26, 2008

On June 26, 2008 the MVC approved with conditions a proposal to build a new 5,335 sf post and beam barn (55' X 97'), without a finished floor, next to the present animal barn and similar in design. The review also included a modification to the site plan approved by the MVC in 1994 in order to bring it into conformity with the As-Built Plan, notably with respect to the location of parking areas, to the elimination of the alley of trees, and to clarifying the vegetation along the road. The project, located at Panhandle Road in West Tisbury (Map 25 Lot 1.1 - 20.9 acres), was conditioned with the following conditions:

- A final landscaping plan showing plant species and locations shall be submitted for the review and approval of LUPC before construction begins. All landscaping plans shall use best management practices.
- The Applicants shall provide a 20'-wide hedgerow on its property along State Road except for openings at the corner with Panhandle Road and the entrance to Jane's Fair Road. The plantings should be like a traditional New England hedgerow, not too high or solid, the intent being not to completely obscure the field from State Road. The planting should be densest opposite view corridors from neighbors' houses.
- As offered by the Applicants, all exterior lighting will be downward shielded to prevent direct light from escaping the property. All exterior lights shall be turned off when there are no activities being held on the property, other than motion-sensitive security lighting.
- As offered by the Applicants, the two existing light poles located between the main Agricultural Hall and State Road shall only be used on nights during the Agricultural Fair and will be turned off when the grounds are vacated for the night.

CR-4 2008 Medicine Shoppe Non-Concurrence August 28, 2008

On Thursday August 28, 2008 the Martha's Vineyard Commission (MVC) decided that the proposal to open a paint/hardware/house ware supply store at 505 State Road in West Tisbury (Map 16 Lot 70 - 1 acre) was not significant enough to warrant a public hearing and voted not to concur that the proposal is a Development of Regional Impact. The Commissioners decided that this use does not require a public hearing based on the West Tisbury Planning Board recommendation that it is appropriate and has adequate parking and access. However the Commissioners would like to see a site plan and have the storage containers removed in six months (February 28, 2009). If the Applicants feel they need the storage containers longer than that they must return to the MVC to request permission.

DRI 454-M4 M.V. Savings Bank Approved with Conditions November 6, 2008

On November 6, 2008 the MVC approved with conditions a proposal to remove an existing 1,684 square foot one-story building and construct a two-story 3,500 square foot office building on a parcel adjacent to a bank branch in the West Tisbury Mixed Business District. This bank office would be for the Brokerage and Trust Divisions of the Martha's Vineyard Savings Bank. The project located at 496 State Road in West Tisbury (Map 16 Lot 99 - 1.04 acres) was conditioned with the following conditions:

- As offered by the Applicant, the Applicant shall narrow the entrance road to a maximum of 12', with entry turning radii as required by MassHighway.

- As offered by the Applicant, the overflow parking area shall be in grass. The Applicant shall return to the Commission for approval if there is a desire to change the surface material.
- As offered by the Applicant, the Applicant offers dormant easements allowing vehicular connections to the abutting properties on the west and east if and when either property is redeveloped and if requested to provide these connections by the West Tisbury Planning Board, provided this would not interfere with bank operations.
- As offered by the Applicant, the Applicant will donate \$1,750 to the Island Housing Trust for affordable housing.
- As offered by the Applicant, a final landscape plan with detailed notes on species and location will be submitted for the review of, and is subject to the approval of the LUPC.
- As offered by the Applicant, the Applicant shall thicken the vegetation along the southern and western abutters' property lines (Map 16 Lots 34, 35, 36, and 100).
- As offered by the Applicant, if the buffer is removed by abutters on any side, the MV Savings Bank will recreate a new landscape buffer along the respective property line.
- As offered by the Applicant, if Vineyard Gardens leaves and that property is to be developed for non agricultural/gardening purposes, the Applicant shall create a landscaped buffer along the property line abutting the Vineyard Gardens property (Map 16 Lot 103).
- As offered by the Applicant, primarily native and low-maintenance plants shall be used in the areas proposed for new landscaping, to minimize the need for fertilization and watering.
- As offered by the Applicant, all fertilizers shall be slow-release, water-insoluble nitrogen source types. No synthetic pesticides including herbicides, fungicides and insecticides shall be used in the maintenance of landscaping.
- As offered by the Applicant, a final lighting plan shall be submitted for the review of and is subject to the approval of the LUPC.
- As offered by the Applicant, all exterior lighting shall be downward shielded to prevent direct light from spilling off the property and the only parking lot lights will be low, bollard lights.
- As offered by the Applicant, the existing light poles shall be removed.
- Exterior lights are to be turned off when the building is not in use with the exception of security lighting for the ATM machines.
- As offered by the Applicant, the project shall be A.D.A. compliant.

Currently Under Review

Additionally the MVC has two projects in West Tisbury that were referred as DRI's but are still in progress.

DRI 618 Williams Parking Currently Under Review - Referred July 22, 2008

This is a proposal to create a commercial parking area for 20 trucks, 15 trailers, and 10 pieces of equipment on a short and long term basis on Dr. Fisher Road in the West Tisbury Light-Industrial District. All stored vehicles would be on wheels. The hours of operation would be 7am to 6 pm with the caveat that between 7 and 8 am starting would only be allowed if there is no backup beeping. No work or business would be conducted on the property. The maximum size truck would be 18,000 lbs. The proposal is located at 90 Dr. Fisher Road in West Tisbury (Map 16 Lot 12.1B Lot - 1.01 acres). Currently the project is under review at the Natural Heritage and Endangered Species Program.

DRI 393-M F.O.C.U.S. Currently Under Review- Referred December 2, 2008

This was referred due to the operation of the music school which was not something that was either discussed or approved by the Martha's Vineyard Commission during deliberations of DRI 393 in 1995.

MVC - DEVELOPMENTS OF REGIONAL IMPACT - 2008

#	DRI #	Name	Town	MVC Decision	Date (Written Dec.)
1.	609	Growing Church	Tis	LUPC Remanded Referral	January 7
2.	311M	Rickard Bread	Tis	Minor Modification	February 7
3.	566-M	MV Electric	Tis	Approved with Conditions	March 20
4.	206-M	Plumbers Supply	Tis	Approved with Conditions	March 20
5.	597-M	Middle Line Housing	Chil	Approved with Conditions	April 10
6.	539-M2	Vineyard Youth Tennis	O.B.	LUPC Approved Parking	April 14
7.	577-M	Morgan Wood Land.	Edg	LUPC Approved Common 2	May 19
8.	39-M5	Cottrell/VNA	Tis	Withdrawn	
9.	598-M	Ferry Tennis/Yoga	W.T.	Minor Modification	June 5
10.	423-M6	Options In Education	W.T.	Minor Modification	June 12
11.	613	Doug Hoehn Bldg	Tis	Approved with Conditions	June 26
12.	374-M	MV Ag Soc Barn	W.T.	Approved with Conditions	June 26
13.	483	Tom's Neck Farm	Edg	Extension	June 26
14.	485-M5	Vineyard Golf	Edg	Approved with Conditions	July 10
15.	612	Bradley Square	O.B.	Approved with Conditions	July 10
16.	4-M2	Our Market Deck	O.B.	Minor Modification	July 10
17.	607	Moujabber	O.B.	Approved with Conditions	July 24
18.	614	Harbor View Hotel	Edg	Approved with Conditions	July 24
19.	539-M3	Vineyard Youth Tennis	O.B.	LUPC Approved Parking	July 28
20.	380-M	Shirley's Hardware	Tis	Approved for 5 Years	Aug 14
21.	616	AA Car 5 Corners	Tis	Approved with Conditions	Aug 14
22.	611	DeSorcy 5 Corners	Tis	Withdrawn	Aug 15
23.	C.R. 4 -'08	Up Island Paint	W.T.	Non-Concurrence	Aug 28
24.	C.R. 5 -'08	Alexander & Dyke	Edg	Non-Concurrence	Aug 28
25.	603	Nova Vida	O.B.	Approved with Conditions	Sept 11
26.	551-M	Field Club A.H. Mod	Edg	Approved with Conditions	Sept 18
27.	C.R. 6-'08	Medicine Shoppe	Tis	Non-Concurrence	Sept 18
28.	493-M2	DCSB-Uncas Ave	O.B.	Minor Modification	Oct 2
29.	49-M2	M.V. Arena Wind	O.B.	Approved with Conditions	Oct 2
30.	324-M	M.V. Hospital	O.B.	Approved Brick Hue	Oct 2
31.	617	Fortune World	O.B.	Approved with Conditions	Oct 16
32.	4-M4	Our Market Solar	O.B.	Minor Modification	Oct 16
33.	4-M5	Our Market Freezer	O.B.	Minor Modification	Nov 6
34.	454-M3	MVSB State Road	W.T.	Approved with Conditions	Nov 6
35.	577	Morgan Woods Land.	Edg	LUPC Approved Commons	Dec 8
36.	454-M4	MVSB State Road	W.T.	Minor Modification	Dec 18
37.	619	Igreja Evangelica	O.B.	Approved with Conditions	Dec 18
38.	441-M	Mobil Car Wash	Edg	Minor Modification	Dec 18